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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JAMES WOLFGEORGE,

Plaintiff,

-against-

CITY OF NEW YORK, et al.

Defendants.
-----X

ORDER
09 CV 3463 (HB)

Hon. HAROLD BAER, JR., District Judge:

WHEREAS, on May 26, 2009, Plaintiff James Wolfgeorge ("Plaintiff") filed a motion entitled "Motion for an Order to Be Produced Pursuant to CPL Section 560.10" (the "Motion") which has been docketed as Docket Item No. 5; and

WHEREAS, the Motion seeks and Order of the Court to have Plaintiff produced for a Pretrial Conference in this action; and

WHEREAS, by Order dated July 30, 2009, the Court instructed ordered that Plaintiff be made available to participate telephonically in the Pretrial Conference on August 6, 2009 at 2:30 P.M.; it is hereby

ORDERED that the Motion is DENIED as moot; and it is further

ORDERED that the Clerk of Court terminate the Motion (Docket Item No. 5).
a pretrial conference in action matter pursuant to Rule 16 of the Federal Rules of Civil Procedure is scheduled for August 6, 2009 at 2:30 P.M.; it is hereby

SO ORDERED
New York, New York
August 3, 2009


United States District Judge

Copy To
James Wolfgeorge
09-R-2039
Mid-State Correctional Facility
P.O. Box 2500
Marcy, New York, 13403